IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated : Nainital the 19th day of December 2003

Criminal Misc. Bail Application No. 1108/2003

Order on the bail application of accused.

CRIMINAL SIDE

1. Sumant S/o Santu
2. Surendra S/o Sumant
   R/o Village Gotha,
   P.S. Sitarganj
   District Udham Singh Nagar ….Applicants.

Versus

State of Uttaranchal ….Opposite Party.

Arising out of case crime No. 364/2003
U/Ss 147, 307, 323, 504, 506 I.P.C.
P.S. Sitarganj
District Udham Singh Nagar.

By the Court

Hon'ble Irshad Hussain J.

Heard Sri S.K. Mandal, learned counsel for the applicant and learned A.G.A. for the State.

No specific injury of sharp-edged weapon like Kanta can be attributed to the injured of the case Chinu Prasad and according to the F.I.R. applicant-accused Surendra has wielded a Kanta in the incident.

Considering this he is entitled to bail.

As regards the applicant-accused Sumant, he has been assigned the role of assailant by wielding Lathi. Co –accused Malkhan who was also assigned the similar role has been admitted to bail by the learned Sessions Judge on 17-10-2003 and in view thereof he is also entitled to bail.

For the above reasons both the applicants-accused are admitted to bail.

The applicants-accused Sumant and Surendra shall be released in crime No. 364/2003 under sections 147, 307, 323, 504, 506 I.P.C., P.S. Sitarganj, District Udham Singh Nagar on their executing a personal bond each and two sureties each in the like amount to the satisfaction of C.J.M., Udhan Singh Nagar.

(Irshad Hussain, J)

Dated: 19.12.2003
ISB